

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ALAN JOHNSON,	:	
	:	
Plaintiff,	:	Civ. No. 14-2025 (FLW) (DEA)
	:	
v.	:	
	:	
UNIVERSITY CORRECTIONAL HEALTH CARE et al.,	:	<b>MEMORANDUM AND ORDER</b>
	:	
Defendants.	:	
	:	

The Court has previously denied three applications by plaintiff, Alan Johnson (“Plaintiff”), to proceed in this action *in forma pauperis*. (See, ECF Nos. 2, 4, 9–10.) Each denial was premised upon Plaintiff’s failure to accompany his application with a proper trust fund account statement for the six month period immediately preceding the filing of the complaint that is certified by the appropriate prison official. (See *id.*)

When the Court denied Plaintiff’s third *in forma pauperis* application, on January 16, 2018, it administratively terminated the action and permitted Plaintiff 30 days to submit a complete *in forma pauperis* application or pay the proper filing fee. (*Id.*) At that time, the Court also alerted Plaintiff to substantive deficiencies in his Complaint. (See ECF No. 9.) As Plaintiff did not file a complete *in forma pauperis* application or pay the filing fee, the Court dismissed the action without prejudice on April 11, 2018. (ECF No. 11.)

More than a year later, Plaintiff filed an application to reopen this action, accompanied by a fourth application to proceed *in forma pauperis*. (ECF Nos. 14 & 15.) Like each of his prior *in forma pauperis* applications, his most recent application is defective, as it does not included a trust fund account statement for the six month period immediately preceding the filing of the

complaint that is certified by the appropriate prison official. Indeed, while Plaintiff included a prison account statement, it is not certified by any prison official. (*See* ECF No. 15.)

Additionally, as the Court previously noted in its opinion denying Plaintiff's third *in forma pauperis* application, his Complaint "would be subject to dismissal at screening under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim for relief." (ECF No. 9 at 2.) Specifically, the Court found that the facts alleged "do not support a claim for deliberate indifference to his serious medical needs." (*See id.* at 2–4.) As Plaintiff's Complaint remains unmodified from its initial filing, this issue remains the same: even were the Court to grant Plaintiff's motion to reopen the action and his application to proceed *in forma pauperis*, his Complaint would be dismissed under § 1915(e)(2)(B) for failure to state a claim. Accordingly, Plaintiff has failed to establish any basis to reopen this action.

THEREFORE, IT IS, on this 12<sup>th</sup> day of August 2019,

ORDERED that Plaintiff's application to reopen this action, (ECF No. 14), is DENIED; and it is further

ORDERED that Plaintiff's fourth application to proceed *in forma pauperis*, (ECF No. 15), is DENIED; and it is further

ORDERED that the Clerk shall serve a copy of this Memorandum and Order on Plaintiff by regular U.S. mail.

s/Freda L. Wolfson  
Freda L. Wolfson,  
U.S. Chief District Judge